

METROPOLITAN PARK DISTRICT OF TACOMA
Pierce County, Washington
January 1, 1993 Through December 31, 1993

Schedule Of Findings

1. The Metropolitan Park District (MPD) Should Comply With Open Public Meetings Act

Metropolitan Park District is currently in the process of discussing lease terms with Tacoma Outboard Association (TOA) for the boat launch facilities located near Titlow Park. A number of the terms and conditions related to the lease and the minimum bid price were discussed during executive session. The board was periodically updated on the status of the contract discussions during executive session, even after interested citizens wrote a formal letter requesting that all aspects of the lease be discussed during an open public meeting.

The Open Public Meeting Act, RCW 42.30.110, provides in pertinent part as follows:

(1) Nothing contained in this chapter may be construed to prevent a governing body from holding executive session during a regular or special meeting.

(c) To consider the minimum price at which real estate will be offered for sale or lease when public knowledge regarding such consideration would cause a likelihood of decreased price. However, final action selling or leasing public property shall be taken in a meeting open to the public. [Emphasis added.]

The State Auditor's Office interprets this exception to mean that all discussion about lease terms be addressed in an open public meeting to ensure public input. The governing body may adjourn to executive session during that meeting to consider the minimum price that the property will be offered under those lease terms, if the public knowledge of the amount would lower that price. The district disagrees with this interpretation and asserts that all lease terms affect the minimum price and may be discussed in executive session.

We recommend that the Metropolitan Park District Board comply with the Open Public Meetings Act.